



DEPARTMENT OF PLANNING
STAFF REPORT

PLANNING COMMISSION PUBLIC HEARING

DATE OF HEARING: June 18, 2009

SPEX 2008-0011, CWS Exit 6, Ashburn Village Boulevard

DECISION DEADLINE: June 16, 2009

ELECTION DISTRICT: Catoctin/Dulles

PROJECT PLANNER: Michael Elabarger

EXECUTIVE SUMMARY

Community Wireless Structures, LLC of Arlington, Virginia has submitted an application for a special exception to expand an existing telecommunications fenced compound by approximately 3,635 square feet to construct an approximately thirty foot (30') by seventy-eight foot (78') (2,331 square foot) addition on a portion of the property owned by Toll Road Investors Partnership II LP. The entire subject property is located in the following zoning districts: AR-1 (Agricultural Rural-1), JLMA-20 (Joint Land Management Area-20), PD-GI (Planned Development-General Industry), PD-H3 (Planned Development-Housing), PD-H4 (Planned Development-Housing), PD-IP (Planned Development-Industrial Park), PD-OP (Planned Development-Office Park), PD-TRC (Planned Development-Transit Related Center), R-1 (Single Family Residential), R-16 (Townhouse/Multifamily Residential), Town (Town of Leesburg), and TR-10 (Transitional Residential-10). Portions of the entire subject property are located within: the Route 28 Taxing District; the AI (Airport Impact) Overlay District, outside of but within one (1) mile of the Ldn 60, between the Ldn 60-65, and within the Ldn 65 or higher aircraft noise contours; the FOD (Floodplain Overlay District); and within the QN (Quarry Notification) Overlay District-Loudoun Note Area. This application is subject to the Revised 1993 Zoning Ordinance and the proposed use is listed as a Special Exception use under Section 5-618(B)(2)(a). The Toll Road property totals approximately 430.9 acres in size and is located within a right-of-way extending from the U.S. Route 7/15 Bypass in the Town of Leesburg to the Loudoun County boundary with Fairfax County, in the Catoctin and Dulles Election Districts.

The specific area subject to this special exception is the telecommunications compound located in the northwest quadrant of the Exit 6 interchange of the Dulles Greenway (Route 267), at 21881 Ashburn Village Boulevard (Route 772), Ashburn, Virginia, in the Dulles Election District. This specific area is zoned PD-H4, is located outside of but within one (1) mile of the Ldn 60 aircraft noise contour, and is governed by the policies of the Revised General Plan (Suburban Policy Area (Ashburn Community)), which designates this area for Residential uses, and the Strategic Land Use Plan for Telecommunications Facilities. With an expansion of the existing compound, additional telecommunication vendors can locate at the site, and provide expanded or new services to County residents while utilizing an existing monopole, which is supported and encouraged by the Revised General Plan and Telecommunications Plan.

RECOMMENDATION

Staff recommends that the Planning Commission forward the application to the Board of Supervisors with a recommendation of approval, subject to the Conditions of Approval dated June 4, 2009, and based on the findings in the June 18, 2009 staff report.

SUGGESTED MOTIONS

1. I move that the Planning Commission forward SPEX 2008-0011, CWS Exit 6, Ashburn Village Boulevard, to the Board of Supervisors with a recommendation of approval, subject to the Conditions of Approval dated June 4, 2009, and based on the Findings contained in the June 18, 2009 Staff Report.

Or,

2. I move that the Planning Commission forward SPEX 2008-0011, CWS Exit 6, Ashburn Village Boulevard, to a work session for further review.

Or,

3. I move that the Planning Commission forward SPEX 2008-0011, CWS Exit 6, Ashburn Village Boulevard, to the Board of Supervisors with a recommendation of denial, based on the following Findings:

VICINITY MAP



Directions: From Leesburg, proceed east on the Dulles Greenway to Exit 6, Ashburn Village Boulevard. The telecommunications compound is in the northwest quadrant of the interchange.

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I. APPLICATION INFORMATION

APPLICANT: Community Wireless Structures, LLC
Thomas A. Murray
2800 Shirlington Road, Suite 960
Arlington, VA 22206
703-845-1971

PROPERTY OWNER: Toll Road Investors Partnership II LP (TRIP II)
Tom Sines, CEO
45305 Catalina Court, Suite 102
Sterling, VA 20166
703-707-9096

REPRESENTATIVES: Donohue & Blue PLC
Ed Donohue
801 North Fairfax Street, Suite 209
Alexandria, VA 22314
703-549-1123 Ext. 102

PROPOSAL: A Special Exception to expand the existing area of Special Exception per SPEX 1997-0001 (approximately 13,526 square feet (sf)) for telecommunications facilities by approximately 3,635 square feet (sf) (approximately 117' x 32' x 118' x 31'), and to expand the fenced compound with an additional 2,331 sf (an area approximately 78' x 30').

The application was accepted for processing on March 18, 2009.

LOCATION: 21881 Ashburn Village Blvd., Ashburn VA 20148 (Exit 6 – Dulles Greenway)

ZONING: Collectively, the entire subject parcel is zoned AR-1, JLMA-20, PDGI, PDH3, PDH4, PDIP, PDOP, PDTRC, R-1, R-16, Town and TR-10. The zoning in the area of the parcel specific to the telecommunication facility is **PDH4**.

TAX MAP/PARCEL: Tax Map – /60/////7BTR1, /60/////7BTR2 MCPI—234-37-8457

SURROUNDING LAND USES:

	<u>ZONING</u>	<u>PLANNED</u>	<u>EXISTING</u>
NORTH	R-16	Hi-Dens Residential	Multi-family / Townhouse
SOUTH	PDH4/PDTRC	Hi-Dens Residential	Dulles Greenway/Vacant
EAST	R-1/PDOP	Keynote Employment	Commercial & Industrial
WEST	PDH4	Business	Dulles Greenway/ Vacant

ELECTION DISTRICT: Catoctin and Dulles (subject site is in Dulles)

II. Summary of Discussion

Topic/ Issue Area	Issues Examined and Status
Land Use	Maintain the fence and buffering materials. RESOLVED, see Condition #2.
	Remove the facilities 90 days following cessation of the use. RESOLVED, see Condition #4.
Zoning	Correct Statement of Justification regarding zoning districts per Section 5-618(B)(2)(d). RESOLVED, see Statement of Justification.
	Make several suggested revisions to the Plat. RESOLVED, see the Plat Set.
Transportation	Confirm that the application does not conflict with expansion plans of the Dulles Greenway. RESOLVED, the proposed compound expansion is not within future areas needed for roadway expansion.
Site Design	The applicant seeks to utilize all eastern red cedar trees to fulfill the buffer requirements of Section 5-1414(B). Per Section 5-1403(C), the Board of Supervisors may modify the requirements of the landscape buffer and plantings at the time of Special Exception approval. RESOLVED, Staff supports the request due to the soil conditions which do not sustain the prescribed plant species, and with the planned 8' board-on-board fence (also, Condition #3). The modification request will be advertised for the Board of Supervisors Public Hearing and, if approved by the Board, noted in the application's Copy Teste.
	Confirm adequate vehicular access to the compound via the Greenway on-ramp. RESOLVED, the existing vehicular access will continue to be used, and there is currently adequate access and parking provided.

Policy or Ordinance Sections Subject to Application
Revised General Plan
Chapter 7, Planned Land Use Map
Chapter 1 / Relationship to Other County Planning Documents / 2 nd Paragraph
Strategic Land Use Plan for Telecommunications Facilities (CPAM 1996-0003)
Countywide Location Policies, Policy 1
Countywide Visual Impacts, Policy 1, 2, 3
Safety and Health Policies, Policy 2
Countywide Transportation Plan
Revised 1993 Zoning Ordinance
Section 5-618(B)(2)(a), Monopole, Special Exception Required
Section 5-618(B)(4)(d), Monopoles, Additional Submission Requirements
Section 5-1414, Buffer Yards and Screening
Section 5-1403, Standards

III. FINDINGS FOR APPROVAL

1. The proposed expansion is in conformance with the location policies of the Revised General Plan and the Strategic Land Use Plan for Telecommunications Facilities, which recommends co-location and utilization of existing tall structures.
2. The proposed project is in substantial accordance with the policies of the Revised General Plan and the Strategic Land Use Plan for Telecommunications Facilities and will create very little new visual impact with the expansion of the fenced compound on nearby properties or the Greenway (Route 267).
3. The proposed buffering modification for the compound, composed of cedar trees in a staggered layout, will provide the best possible screening and have the highest chance of survival given the environment they will be planted in.
4. The proposed project will not impact any elements of the Green Infrastructure as outlined in the Revised General Plan.
5. The proposed project will not impact area roads and the surrounding transportation network.

IV. CONDITIONS OF APPROVAL

(June 4, 2009)

1. Substantial Conformance - The proposed telecommunication facility shall be developed in substantial conformance with Sheets T-1, Z-5, and Z-7 of the Special Exception Plat, revised through June 1, 2009 and prepared by Entrex Communication Services, Inc., and the Loudoun County Zoning Ordinance. Approval of this application does not relieve the Applicant of any Zoning Ordinance, Codified Ordinance, or any other regulatory requirement.
2. Fence and Buffer Maintenance – The Applicant or its successors shall maintain and keep in good repair and/or health the board-on-board fencing and the eastern cedar trees as depicted on the Special Exception Plat per Condition #1 above.
3. Board-on-board Fence – The Applicant or its successors shall install a board-on-board fence, identical to that on the existing telecommunications compound, on the northwestern and southeastern facing sides of the compound expansion (ie, the sides requiring a Type 3 buffer).
4. Removal of Use - The Applicant or its successors shall remove all unused related telecommunications structures and facilities from the site, including the monopole and associated equipment structures, within 90 days of cessation of commercial public telecommunications use or the expiration of the ground lease, whichever occurs first, and restore the site as closely as possible to its original condition.

V. PROJECT REVIEW

A. CONTEXT

The applicant, Community Wireless Structures, LLC., is requesting a Special Exception (SPEX) to expand both the area of Special Exception from Special Exception (SPEX) 1997-0001 and the area of the equipment compound associated with an existing telecommunication facility (see Table 1). This site is located between the westbound on-ramp for Exit 6 of the Dulles Greenway and the Greenway itself in the northwest quadrant of the interchange with Ashburn Village Boulevard (Route 772). The site is within the right-of-way of the Greenway and owned by the Greenway owner/operator. The existing telecommunication facility contains a 193' monopole with antennae arrays located at varying heights on the pole. A variety of ground-mounted equipment sheds, cabinets, and other telecommunication equipment are currently located at the base of the monopole within a fenced (eight-foot chain-link with a wooden board-on-board fence on the outside) equipment compound and lease area. Expansion of this fenced compound would provide ground space for future equipment to be located there, and the corresponding antennae on the existing monopole.

The application seeks to add 2,331 square feet (an area approximately seventy-seven feet nine inches (77'-9") by thirty (30') feet) to the fenced compound area. The area of Special Exception, encompassing the setback yards and the compound, is proposed to be extended to the south by an additional 3,635 square feet in a rectangular area of approximately 116'-10" x 31'-4" x 117'-9" x 30'-6"). Table (1.) below compares the existing and proposed dimensions from this application and the previously approved SPEX 1997-0001 (See Section V.B. History below).

Table 1. – Existing and Proposed Areas, Exit 6 – Ashburn Village Boulevard

	Area of Special Exception		Area of Fenced Compound	
	Square Footage	Dimensions	Square Footage	Dimensions
SPEX 1997-0001	13,526	118' x 107'-3" x 116'-10" x 124'-4"	5,911	78'-1" x 71' x 77'-9" x 81'-8"
SPEX 2008-0011	3,635	116'-10" x 31'-4" x 117'-9" x 30'-6"	2,331	77'-9" x 30' x 77'-9" x 30'
Total:	17,161	118' x 138'-7" x 117'-9" x 154'-9"	8,242	78'-1" x 101' x 77'-9" x 111'-8"
<i>% Increase:</i>	<i>27%</i>		<i>39%</i>	

A staggered vegetative buffer of eastern red cedar trees, many of which were planted in 2008, exist to visually buffer the compound on all sides. A similar planting plan (see Sheet Z-7), subject to approval of the applicant's buffer modification request by the Board of Supervisors, would be installed around the expanded compound. Cedar trees are native to this location and have proved to be the heartiest form of buffering capable of surviving in the soil conditions. Two rows of staggered cedar trees would also provide the greatest amount of buffering possible in this situation, compared to that required by Ordinance.

The subject site is currently zoned Planned Development-Housing (PD-H4) under the Revised 1993 Loudoun County Zoning Ordinance. A review of County GIS records did not identify any environmental features on the subject site that would be impacted by the proposed expansion of the existing equipment compound.

B. HISTORY

The existing telecommunication facility on the subject site was approved July 30, 1997 via Commission Permit (CMPT) 1997-0001 and Special Exception (SPEX) 1997-0001, Community Wireless Structures. A Commission Permit is not required for the proposed expansion of the existing equipment compound since the previously approved application has already determined that the general location, character, and extent of the telecommunication use on the subject site is in substantial accord with the Comprehensive Plan. In July of 2007, Special Exception 2007-0003 (Verizon at Ryan) was approved by the County, amending Condition number 1 of SPEX 1997-0001 (*Community Wireless Structures*) to remove the limitation on the number of unmanned equipment buildings and permit up to 1,900 square feet of unmanned equipment buildings at the base of the existing monopole. This current application is a result of the area allotted for the ground equipment now being occupied, and a need for addition space to allow the collocation of more antennae on the monopole.

C. SUMMARY OF OUTSTANDING ISSUES

There are no outstanding issues. The applicant is in agreement with the draft Conditions of Approval dated June 4, 2009. The conditions are under review by the County Attorney, and an update will be provided at the public hearing.

D. OVERALL ANALYSIS

COMPREHENSIVE PLAN

A. LAND USE

Location

The subject site is located within the Suburban Policy Area and is planned for suburban residential development. Being within the right-of-way of a limited access principal arterial road, expansion of an existing telecommunication use is supported by the Revised General Plan. The Telecommunication Plan policies establish a hierarchy of preferred locations for new commercial public telecommunication facilities in the County. The County's first preference is for new telecommunication facilities to collocate on existing buildings, towers, monopoles, water tanks, overhead utility transmission line structures and other tall structures where possible to minimize the need for new structures (*Telecommunications Plan, Countywide Location Policies, Policy 1*). The proposed site is considered a preferred location because it utilizes an existing telecommunication facility to provide wireless communication services to the area without requiring the construction of a new tower or monopole. The proposed expansion of the existing equipment compound is consistent with Plan policies and County-wide goals to minimize the need for the construction of new towers and monopoles.

As already noted, the site is within the right-of-way of the Dulles Greenway, between the road itself and the west-bound entrance ramp. The surrounding land uses are as follows:

- *to the north:* across the west-bound on-ramp, a multi-family housing development (Parkside at Ashburn);
- *to the south:* across Ashburn Village Boulevard and the entire Greenway, undeveloped (future Broadlands and Moorefield Station developments);
- *to the west:* across the Greenway, stormwater pond, then commercial and residential beyond (Broadlands);
- *to the east:* across Ashburn Village Boulevard, commercial (Ryan Center) .

Design Standards and Visual Impact

The Plan calls for design standards to mitigate the visual impacts of commercial public telecommunication facilities so as to “blend with the natural and built environment of the surrounding area” (*Telecommunications Plan, Countywide Visual Impacts, Policy 1*). The Plan directs that specific attention be paid to the setting, color, lighting, topography, materials, and architecture. Antennas and other telecommunication devices should be neutral in color to blend with the background, unless specifically required by the FAA to be painted or lighted otherwise (*Telecommunications Plan, Countywide Visual Impacts, Policy 2*). Accessory structures and equipment buildings should also blend with the surrounding environment through the use of appropriate color, texture of materials, scale, landscaping and visual screening (*Telecommunications Plan, Countywide Visual Impacts, Policy 3*).

Plan policies guide development to mitigate impacts of the tall structures necessary for telecommunication infrastructure. In this instance, the facility is in place, along with the ground equipment, behind an 8’ chain-link and board fence. This application serves to increase that ground area portion of the facility by just 39%. The applicant submitted drawings and photo-simulations (see Attachments 4 and 5), and the proposed visual impact created by the proposed expansion of the existing equipment compound is negligible when compared to the overall visual impact of the existing telecommunication facility on the subject site. The design and visual impact of the proposed expanded equipment compound is in general conformance with Plan policies.

The only structures within possible sight of the compound expansion are in the Parkside at Ashburn development, with the nearest building being approximately 270’ from the existing compound. This development sits at a slightly higher elevation than the compound, and has a very mature treeline on its boundary with the Greenway property. If any of these residences have sight of the compound, the proposed expansion is on the backside of the compound from those residences, and would not be directly visible.

Buffering

Buffering and screening are intended to mitigate the effects of uses upon adjacent uses, and are regulated per Section 5-1400 of the Zoning Ordinance. Such buffers and screens apply to the review of site plans, but are instrumental in determining the issues for consideration of a legislative application per Section 6-1310. The Ordinance (Section 5-1414(A)) requires a Type 4 buffer adjacent the Greenway itself (*southwestern* face), and Type 3 buffers *on the other two*

sides (northwestern and southeastern) of the proposed fenced compound expansion; see Table (2.) below for the specific requirements of these buffer types.

Table 2. - Excerpt from Table 5-1414(B)

	<i>Required Plantings per 100 Lineal Feet of Property Line</i>									
	BUFFER TYPES									
	3	4	3	4	3	4	3	4	3	4
	Canopy		Understory		Shrubs		Evergreen		Min. / Max. Width	
<i>Front</i>	3	4	3	3	20	20	0	0	20' / 30'	20' / 30'
<i>Side/Rear</i>	2	2	5	5	10	10	4	8	25' / 30'	25' / 30' *

* - Plus a six (6) foot fence.

On Sheet Z-7, the applicant is requesting to modify (via Section 5-1403(C), see below) the buffer in the following manner with a total of 26 trees, each with a minimum 1" caliper and 6'-8' high at the time of planting:

- Rear Yard (southeastern face) - in lieu of the Type 4 requirements, plant two staggered rows of only eastern red cedars (approximately 4), spaced 12' on center, within a narrowed (5' less than minimally required) twenty foot (20') wide buffer space;
- Side Yard (southwestern face, adjacent the Greenway) - in lieu of the Type 3 requirements, plant two staggered rows of only eastern red cedars (approximately 19), spaced 12' on center, within a narrowed (5' less than minimally required) twenty foot (20') wide buffer space;
- Front Yard (northwestern face) - in lieu of the Type 3 requirements, plant two staggered rows of only eastern red cedars (approximately 3), spaced 12' on center, within the (minimally) required 20' wide buffer space.

The County Urban Forester has previously reviewed and approved such a planting plan for the existing compound (subject to SPEX 1997-0001 and subsequent site plans), acknowledging the poor soil conditions¹ that have prohibited the sustainability of the required Type 3 and 4 plantings. Cedars are currently planted and are having a high rate of success.

Staff supports the applicants planting plan and requested buffer modification request for the following reasons:

1. Eastern red cedars are native to the area, highly stress tolerant, and prosper in this environment.
2. The majority of prescribed plant materials (deciduous trees, shrubs) in the Ordinance do not have a high survivability rate in this environment.
3. The applicant has committed to expand the existing eight foot (8') chain-link and board-on-board (exterior face) fence.

¹ Soil types commonly found along the Greenway include Kelly-Sycoline, Sycoline-Catlett, and Catlett-Rock outcrop complexes. These soils have developed from hornfel and granulites, have seasonal perched water tables, and are located on convex side slopes. Some are marginal agricultural soils with bedrock typically between 10" - 30".

4. The prescribed shrubs would only serve to screen the board-on-board fence, never growing to a height over the fence.
5. A reduction of five feet (5') of the buffer distance on the southeastern and southwestern sides is minimal and has no impact, given they are adjacent or facing the Greenway travel lanes.
6. Visibility of the fenced compound expansion is minimal from outside the property and right-of-way of the Dulles Greenway.
7. Though not a subject of this application, no amount of buffering or screening can mitigate the 193' monopole.

Section 5-1403(C) of the Ordinance allows the Board of Supervisors to modify the requirements of the landscape buffer and plantings at the time of Special Exception approval. The modification request will be included in the advertisement for the Board of Supervisors public hearing, and should the application be approved by the Board, the action (approval of the modification per Sheet Z-7) shall be noted in the copy teste for the application.

The applicant has agreed to Condition of Approval #2 for the long-term maintenance and care of the proposed fence and vegetative landscape buffer to ensure that the proposed facility is adequately screened. The applicant has also agreed to Condition #3, requiring a similar board-on-board fence on the northwestern and northeastern ends of the proposed compound expansion.

B. SAFETY AND HEALTH

Plan policies state "an applicant or its successors shall remove all unused structures and facilities from a commercial public telecommunications site, including towers and monopoles, within 90 days of cessation of commercial public telecommunications use or the expiration of the lease, whichever occurs first, and the site should be restored as closely as possible to its original condition" (*Telecommunications Plan, Safety and Health Policies, Policy 2*). The applicant has agreed to Condition of Approval #4, requiring the removal of the facility and associated equipment within 90 days following cessation of the use.

The Department of Fire, Rescue, and Emergency Management reported that the nearest responding site would be Moorefield Station 23, with a maximum response time of 4 minutes and 30 seconds. The County Health Department had no objections to approval of the application.

C. GREEN INFRASTRUCTURE

The Revised General Plan places a priority on preserving Green Infrastructure. Green Infrastructure is a collection of natural, cultural, heritage, environmental, protected, passive and active resources that will be integrated in a related system. It includes stream corridors, vegetative landscapes, wildlife and endangered species habitats, and heritage resources (Revised General Plan, Policy 1, p.5-1 & 5-2). Development should take place around these elements, incorporating them into the design of a site (Revised General Plan, text, p. 6-2). Such an approach places a priority on preserving both sensitive environmental and man-made features.

The existing condition of the expansion area is grassy land that was completely disturbed and engineered during the construction of the Greenway. Construction of the compound expansion may include grading and some fill to meet the level grade of the existing compound. The expansion of the ground compound at the base of the existing monopole will have no effect on animal habitat, vegetation, water quality or air quality and no impact on Green Infrastructure elements as outlined in the Revised General Plan.

TRANSPORTATION

Telecommunications facilities such as the existing monopole and proposed expansion typically generate a total of one (1) vehicle trip per carrier per month for maintenance purposes. Based on the submitted materials, a total of eight (8) carriers would have a presence at this facility (four (4) existing and four (4) proposed) for a total of eight (8) vehicle trips per month. The applicant adequately addressed the staff comment regarding the future expansion plans of the Greenway by the owner; the compound area is out of any future expansion areas, and the Greenway ownership is fully aware, and in support, of this application. No transportation impacts are expected from this application, and there are no issues.

ZONING

The subject property is governed by the Revised 1993 Zoning Ordinance, and the site at Exit 6 is zoned PD-H4. The buffering requirements, as previously noted, are requesting to be modified by action of the Board of Supervisors with plantings that have proven to succeed in this location. All comments from Zoning Administration were addressed by the applicant, and there are no issues remaining.

E. ZONING ORDINANCE CRITERIA FOR APPROVAL

Section 6-1310 of the Loudoun County Zoning Ordinance states "In considering a special exception application, the following factors shall be given reasonable consideration. The applicant shall address all the following in its statement of justification or special exception plat unless not applicable, in addition to any other standards imposed by this Ordinance":

Below is Staff's analysis of these criteria; see the Applicant's Statement of Justification (Attachment 2) for their response.

(A) Standard *Whether the proposed special exception is consistent with the Comprehensive Plan.*

Analysis The proposed use is consistent with the Revised General Plan and the Telecommunications Plan policies for the Suburban Policy area. The anticipated impacts have been adequately mitigated through Conditions of Approval.

(B) Standard *Whether the proposed special exception will adequately provide for safety from fire hazards and have effective measures of fire control.*

Analysis All applicable fire hazards will be addressed at the time of site plan and building permit review.

- (C) Standard *Whether the level and impact of any noise emanating from the site, including that generated by the proposed use, negatively impacts the uses in the immediate area.*

Analysis No additional noise impacts are expected to be generated from the expansion of the fenced ground compound area.

- (D) Standard *Whether the glare or light that may be generated by the proposed use negatively impacts uses in the immediate area.*

Analysis No new exterior lighting is being proposed with the application.

- (E) Standard *Whether the proposed use is compatible with other existing or proposed uses in the neighborhood, and adjacent parcels.*

Analysis The area of Special Exception is within the right-of-way of the Dulles Greenway, with the Greenway to the west, east, and south, and a multi-family residential development approximately 270' to the north across the west-bound on-ramp. The expansion of the compound will not appreciably change the telecommunications use.

- (F) Standard *Whether sufficient existing or proposed landscaping, screening and buffering on the site and in the neighborhood to adequately screen surrounding uses.*

Analysis The applicant seeks to plant eastern red cedar trees (6'-8' high planted 12' on center) with a 1" minimum caliper at the time of planting. Sheet Z-7 contains a modified buffer request to do the noted planting rather than the required Type 3 and 4, because of the nature of the site and the poor soil conditions, which have proven to only sustain the cedar trees.

- (G) Standard *Whether the proposed special exception will result in the preservation of any topographic or physical, natural, scenic, archaeological or historic feature of significant importance.*

Analysis The expansion of the use will occur on a flat grassy area that was previously engineered within the right-of-way and roadway.

- (H) Standard *Whether the proposed special exception will damage existing animal habitat, vegetation, water quality (including groundwater) or air quality.*

Analysis The area of expansion was previously disturbed with the development of the Greenway. There is no animal habitat; vegetation is mowed grass; the comprehensive stormwater management system of the Greenway would be utilized; no great impacts on air quality will be directly attributed by the expansion of the fenced compound. Any land disturbance will be regulated by the Facilities Standards Manual (FSM) regarding erosion and sedimentation.

- (I) Standard *Whether the proposed special exception at the specified location will contribute to or promote the welfare or convenience of the public.*

Analysis The expansion will provide space for new telecommunications providers to locate

on the existing monopole, providing new and expanded services to County residents.

- (J) Standard *Whether the traffic expected to be generated by the proposed use will be adequately and safely served by roads, pedestrian connections and other transportation services.*

Analysis The traffic proposed from the use is minimal and can be accommodated by the existing road network.

- (K) Standard *Whether, in the case of existing structures proposed to be converted to uses requiring a special exception, the structures meet all code requirements of Loudoun County.*

Analysis The proposed expansion of the fence and ground compound will meet County and State building codes and safety standards.

- (L) Standard *Whether the proposed special exception will be served adequately by essential public facilities and services.*

Analysis The proposed use will be served by existing utilities already provided on-site.

- (M) Standard *The effect of the proposed special exception on groundwater supply.*

Analysis The proposed use will be served by an existing well and sewage system, and no effects on the groundwater supply are expected.

- (N) Standard *Whether the proposed use will affect the structural capacity of the soils.*

Analysis The proposed use is not anticipated to create any negative impact on the structural capacity of the soils. Grading and construction will adhere to all requirements of the Facilities Standards Manual through the site plan process.

- (O) Standard *Whether the proposed use will negatively impact orderly and safe road development and transportation.*

Analysis The minimal traffic impact of the expanded compound area can be handled by the existing road network.

- (P) Standard *Whether the proposed special exception use will provide desirable employment and enlarge the tax base by encouraging economic development activities consistent with the Comprehensive Plan.*

Analysis The proposed expansion of the compound area will allow expansion of current or additional telecommunication service providers, which will expand the telecommunications options in the area and produce increased tax income from any new equipment.

- (Q) Standard *Whether the proposed special exception considers the needs of agriculture, industry, and businesses in future growth.*

Analysis The Property is not currently used agriculturally.

(R) Standard *Whether adequate on and off-site infrastructure is available.*

Analysis There is adequate on-site infrastructure to serve the compound expansion.

(S) Standard *Any anticipated odors which may be generated by the uses on site, and which may negatively impact adjacent uses.*

Analysis There are no odors anticipated from the expansion of the compound area.

(T) Standard *Whether the proposed special exception uses provide sufficient measure to mitigate the impact of construction traffic on existing neighborhoods and school areas.*

Analysis The area of special exception is within the Greenway right-of-way and no impacts from construction traffic on neighborhoods or schools is anticipated.

VI. ATTACHMENTS		PAGE #
1. Review Agency Comments		
a. Planning, Comprehensive Planning	(05/08/09, 04/17/09)	A-01
b. Building and Development, Zoning Administration	(05/08/09, 04/21/09)	A-05
c. Fire, Rescue, and Emergency Services	(04/28/09)	A-08
d. Health Services, Environmental	(03/25/09)	A-09
e. Virginia Department of Transportation	(03/27/09)	A-10
f. Office of Transportation Services	(05/08/09)	A-11
2. Applicant's Statement of Justification	(revised June 2, 2009)	A-15
3. Applicant's Response to Referral Comments	(05/11/09, 05/06/09)	A-19
4. Applicant Graphics - Existing and Proposed Compound Areas	(06/01/09)	A-25
5. Applicant Photos – Existing and Proposed (Simulated) Compound Areas		A-27
6. Disclosure of Real Parties in Interest	(signed 03/12/09)	A-31
7. Reaffirmation of Disclosure of Real Parties in Interest Affidavit	(signed 05/27/09)	A-91
Special Exception Plat Set	(revised 06/01/09)	Attached